Bohemiæ Regnum Electivum. 9

THAT IS,

A PLAINE AND TRVE RELATION OF the proceeding of the STATES of *BOHEMIA*, *from the first foundation of that* Prouince, by Free Election of *Princes* and *Kings* vnto FERDINAND the eighteenth King of the house of *Austria*.

WHEREIN IS EVIDENTLY MANIfested, that the first Princes were Elected, and no true and simple Hereditary Succession estaBlished, *nor practised in all that time*, containing about 900. yeares; Taken out of vnpartiall and *Classicque Authors*.

[Appendix-Hist.]

Bohemia. K

ESDRAS I. 4. 37. 38.

All other things perish in their vnrighteousnesse: But Truth, *it endureth, and is alwaies strong, it liueth and conquereth for euermore.*

MDCXX.

A PLAIN AND TRUE RELATION OF

BRITISH MUSEUM

A PLAINE AND TRVE RELATION OF the proceeding of the States of BOHEMIA.

THE *Triumph* that I heard ſung aloud of the ſtrength and ſolidneſſe of argument, in a little *Information* ſent abroad almoſt in the darke, to beguile the friends thereof; Maintaining the Kingdome of *Bohemia* to be ſucceſſiue, and by conſequence rightly deſcended to the houſe of *Auſtria*, at firſt, ſo farre preiudiced mee, as to thinke ſo much confidence and boldneſſe was ſupported with great probability of truth: And I confeſſe that little pile, as it ſtands compacted and involued, hath in it ſelfe a faire ſhow, vntill it bee taken in peeces, and ſearched at the Corner Stones. Deſire of mine owne ſatisfaction, firſt made me curious to looke into the beſt *Records* of *Story* of that *Country*, I found the Authors ſuch, as without exception, for their quality, iudgement, and meanes to know the truth, no diſpaſſionate man could refuſe. They doe relate barely what was done and practiſed, without fore-thinking to decide a queſtion, which in their times could not be fore-ſeene, and was the leaſt part of their deſigne; and therefore, their witneſſe, as vn-concerned

therein, is of more authority. When I had informed my ſelfe, I learned of Saint *Paul*, to *ſettle my Brethren*, who for want of my leiſure, could not intend ſuch a perplexed ſearch; and might, for zeale and loue of truth, be miſcarried with that which was firſt propounded to them for truth. I doe not intend to anſwer the *Informator* from point to point; but to warne you, that he hath taken aduantages, and forcibly drawne into his purpoſe, fragments and pieces, the whole whereof would be too heauy for his foundation: and as his *ſtuffe* is, ſo are his *vſes* and *applications* wreſted & made crooked, not one grown Timber among them. I haue therfore vndertaken, in a plaine *Narration*, to ſhew the firſt Election of the Princes of *Bohemia*, & the continuance and practice of *Free Election* vnto *Ferdinand* of *Auſtria*: That not one in all that *ſeries* of ſo manie Princes and Kings did ſucceed in right of Inheritance ſimply; nor did dare ſo to claime an admittance to that *Scepter*. In which diſcourſe I deſire you to conſider, not ſo much the efficacy of euery prooſe of Election ſingly (which notwithſtanding is an irrefragable euidence) as the whole fi.le, and thred, purpoſe and practice of the States and free people of that Kingdome: for power and affection may ſometimes obſcure and ſlacken the ſtiffneſſe; but yet in euery age and change, more or leſſe, the *right* hath broken forth and ſtood for it ſelfe. I haue not thought it fit to trouble you with latter times, in which the houſe of *Auſtria* hath beene preferred, and haue claimed a ſucceſſion *of right, from a ſucceſſion of Loue*, and ſo haue loſt their beſt title. It is euident in all Electiue kingdomes, that the Sonne of the Father hath beene choſen; for hee was already

34. *from* Brecuil. 12.

ſet

set vpon the stage, and was borne *Candidatus*: So was it often practized in the *Empire*, without preiudice to the right of Election, in any family, when there vvas iust cause to change. As *Galba* noted of *Augustus*, *Ille in Domo successorem qua sinit, ego in Republica.* But if that *Electiue succession* be pretended; and an answere heere expected I say, it is out of my purpose, who wade only in the *History* of former ages, and it is more proper for them to satisfie, who can search the *Archiues* and *Records* of their owne Acts: but for a generall answere, we propound, that we dare ioyne issue euen in these, and be iudged by the *Registers* of the publike assemblies vpon euery Election, and by the *Defesall* and *Renesall* letters giuen by those Princes of *Austria*, their own Acts, acknowledging the free Election and good will of the States of *Bohemia*, *sine vlla alia obligatione.* Tac. hist. lib. 1.

To lay our owne foundation sure and conspicuous, I first present this definition of a *Kingdome successiue*; That the *Crowne*, and all the *Rights* of *Regality*, doe *de Iure* descend vnto the next *Prince* or *Princesse* of the bloud *Royall* in right Line; And that it is as great an Interruption of *succession* that a *younger House* bee preferred, as that a *Stranger*; and that the *States* and people haue no right to put by or refuse the next in bloud vpon any pretence: and these rules establish and limit a Kingdome *successiue*. But that this *Canon* hath neuer taken place, nor beene practised by the *Bohemians*, I shew in these fiue Conclusions.

1. That the first Princes of *Bohemia* were Elected, and the forme of their Election recorded.

2. That the practice of Election hath continued so, that the Yonger Brethren haue beene preferred before

the Elder, the Vncle before the Nephew, ſonne to the elder brother: the Coſen of the yonger Houſe, before Coſen of the elder: the Husband of the yonger ſiſter, before the Husband of the elder.

3. Meere ſtrangers before daughters and ſiſters of the laſt Kings, and before any of the Bloud.

4. The power and practice of depoſition or reiecti-on in caſe of miſgouernment, or want of due *Forme* in *Election.*

5. That almoſt all the Kings that haue immediate-lie ſucceeded their Fathers, haue beene Elected and Crowned during the Fathers life, or choſen Marqueſ-fes of *Morauia* (a ſtep to the Crowne) by the authority of the Father in poſſeſſion, or for his merit and me-mory dead: ſo that no ſuch ſucceſſion hath been pure *de Iure*, but ayded and grounded vpon other rights then of ſucceſſion. All which examples and Rules doe diametrally oppugne and ouerthrow the pretence of *Hereditary Succeſſion*, and conſequently proue (for there is not one Prince without the reach of one of theſe Rules) *Bohemiæ Regnum eſſe Electiuum.*

Crocus after *Zechius*, who ſetled his Colonies in *Bo-hemia*, was made there Iudge by the people for his ver-tue; *Crocus vir Iuſtus, & magnæ apud Bohemos, tunc tem-poris opinionis & authoritatis, princeps dilectus eſt: vir hic fuit Iudiciorum in deliberatione diſcretus, ad quem, tam de proprijs tribubus, quam ex totius prouinciæ plebibus, ve-lut apes ad alueria, ita omnes ad dirimenda conuolabant Iu-dicia.*

Geor. Barthold. Boh pia pag. 11.

Coſm. Prag. Chron. pag. 4.

Crocus had three daughters, *Kari* eldeſt, *Tethka* ſe-cond, *Luboſſa* third and yongeſt. This laſt for her wiſe-dome was by the people choſen a Princeſſe, or Iudge;

Coſm. Prag. pag. 456.

There

There fell out a controuersie betweene two *Bohemians* about the limits of their ground, which *Luboſſa* ended by ſentence; The party diſpleaſed and condemned, being enraged, renounced the Iudgement, diſdaining it from that ſexe; and thereby tooke occaſion to demand a man to gouerne. *Luboſſa* was vnwilling to let goe the Reynes, and firſt threatens what and how violent the dominion of man would proue, after diſſwades by force of many arguments; *Ad hæc vulgus confuſo exultat clamore, omnes vno ore Ducem ſibi poſcunt dari*, which when ſhe could not auoyd, ſhe cunningly propounds a free Election, by letting looſe an horſe that ſhould ſtay before a man eating at an Iron table, which was agreed vnto; and then ſhe ſayes, *Ite demum, vt quem veſtras eligatis in Dominum, ego aſſumam mihi in maritum.* This horſe ſtood ſtill before *Primiſlaus*, who was eating his dinner vpon his plough ſhare, and ſo he is choſen; and the forme of Election recorded to bee by ſalutation of all the people; they all all cry out, *Domina noſtra Luboſſa, & plebs vniuerſa mandant vt cito venias &c. Te Ducem te Iudicem, te Rectorem, te Protectorem te ſolum nobis in Dominum eligimus*; Here are three Elections in the firſt foundation, and one Reiection of *Luboſſa* confirmed, and the forme recorded.

Gvr. Bartholl. pag. 11.

The firſt forme of Election. *Coſm. Prag. p. 6.*

To wade deeper into the firſt times, is vnneſſary; onely one obſeruation of *Coſma Pragenſis*, that *Vlricus* the eighteenth Prince, who had no iſſue by lawfull marriage, ſaw by chance at a Well a handſome maide waſhing, named *Bozena*, vpon whom he caſt affection, and begat a ſonne called *Brecſlaus*: *Vlricus* had put out his brother *Iaromirs* eyes, yet hee tooke his Nephew, before whom hee was in right of bloud, and preſented him

Pag. 20. & Dubrau li. 7. pag. 54. an. 1002.

him *ad ſedem principalem, & ſicut ſemper in electione ducis faciunt, &c.* which proues hee was Elected, and the continuation of Election declared in thoſe words, *ſicut ſemper in Electione.*

To proceed to times better knowne, and to an eſtate better ſetled, and to looke downward from *Breciſlaus* the 22th Prince, or as *Coſma Prag*: the nineteenth of *Bohemia*, we ſhall finde no ſucceſſion from Father to Son, nor from Brother to Brother regular, but the fitteſt to gouerne, or the beſt beloued, euer choſen by the *Bohemians*. *Breciſlaus* had fiue ſonnes, *Spitigneus* 1: *Vratiſlaus* 2: *Conradus* 3: *Otho* 4: *Iaromirus* 5. *Spitigneus* the eldeſt ſucceeded, but by Election vpon recommendation of his Father. *Poſt Breciſlai obitum filium eius primogenitum,* *Coſm. Prag. pag. 30. an. 1055* *nomine Spignen, omnes Bohemia gentes, magni & parui, communi Conſilio, & voluntate pari elegunt ſibi in Ducem, cantantes kyrieleizon.* After his death, *Vratiſlaus* his brother was choſen, *omnibus Boemis fauentibus*: He had *pag. 33.* alſo ſixe ſonnes; *Breceſlaus* 1: *Boleſlaus* 2: *Borinorius* 3: *Vladiſlaus* 4: *Sobieſlaus* 5: *Henricus* Biſhop of *Olmunts* 6: All theſe ſhould haue ſucceeded the Father in rule of ſucceſſion, but *Conradus* the Vncle was choſen Duke; Hee had two ſonnes, *Vdalricus*, or as *Coſma Prag*: calls him, *Oalricus* and *Leopoldus*, or *Luteldus*: Now, in true ſucceſſion, one of theſe muſt ſucceed the Father *Conrad*: but now the *Bohemians* returne to *Breciſlaus* their Coſin German, and eldeſt ſonne to *Vratiſlaus*; and yet they *Dubrau. p. 78.* returne not to him as in right, *Nam diu ambigebant ordines, num Brecislaum ab exilio ad regnum paternum reuocarent, an domi aliquem ex fratribus eius qui regnaret*: After the death of *Breciſlaus*, they againe skippe his three ſonnes, *Vladiſlaus*, *Henricus*, and *Theobaldus*, who ſhould

ſucceed

ſucceed, and alſo the next elder brother, and *Borivorius* the yonger is choſen: Now *Vdalricus*, or *Oalricus* the firſt ſonne of *Conrad*, thinkes himſelfe wronged to bee twice neglected in the Election; and complaines to the Emperour at *Ratisbon*, ſollicits him, by prayers, by friends, by money, to helpe him to the kingdome poſſeſſed by his Cozen *Borivoy*. The Emperour takes his money, and lends him ſome ſuccors, *Sed hac conditione, vt liberum ſit Bohemis, aut Vdalricum, aut Borivorium, habere Principem; vtrum videlicet horum magis idoneum habilemque approbauerint*: But when it came to a declaration, to what end hee would vſe theſe aydes, to clayme the kingdome by right, hee dares not, but enterprets himſelfe, *Dat ſibi Ducatus inſignia & vexillum*, (which were due to him by bloud, had hee beene the youngeſt of the family) *Sed in Ducem elegendi obtentum penit in arbitrio Boehorum:* But the *Bohemians* refuſe his claime made by his Embaſſadors, and adhere to their firſt Election of *Borivoy*, and defeat *Oalricus* and all his pretences in battaile. *Borivoy* had a ſonne called *Iaromirus*, who ſhould haue ſucceeded, had that right taken place: but *Suatopulcus* gets in by fauour, and by the relapſe of the people depoſeth *Borivoy*: This man was Cozen Germane to *Borivoy*, of a younger houſe, the ſonne of *Otho*, the fourth ſonne of *Breciſlaus* the two and twentieth. This *Suatopulcus* was not long after reiected, & *Borivoy* againe receiued: And hee againe the ſecond time depoſed and thruſt out, and *Suatopulcus* reſtored; & ſo continued Prince to his death. He had a ſon called *Henry*, baptized by the Emperour, and brought vp by him; yet hee being ſlaine in the Campe, *Othoniger* his brother was Elected Prince. The Emperor comming

Cosm. Prag. pag. 54. 55.

Dubrau. pag. 84. Ibid.

Cosm. Prag. pag. 57.

to see and lament the dead body of *Suatopulcus*, and to appease the people, who it seemes feared lest he would
pag. 60. obtrude vpon them a Successor against their will, *adstantibus immensis Boemis concessit, vt quemcunque voluissent, suorum ex filijs principum sibi in Ducem eligerent.* There was the Sonne of *Suatopulcus* aliue, (for any thing appeares) many of the grand-children of *Vratislaus* the first King, and foure and twentieth Prince, before *Otho* in the right of Succession, yet *Wesseck* of *Morauia* intercedes that he may be chosen Duke; him also *Henry* the Emperour fauours, before the sonne and his owne God-sonne, and the people being most *Moranians* approue the Election, and presently in the Campe admit him for their Prince, crying *Kyrieleyzon*,
Dubrau. pag. 90. and in foure daies brought him to *Prage*, at which *Dubranius* sayes, the Bohemians tooke offence. *Questi sunt de electione in Castris facta, contra Maiorum Instituta, moremque veterem*: And *Cosma Pragensis* sayes, he was re-
B fused as he was, *Quod quia sine consensu Boemorum & Episcopi, efficere conabantur, frustratur eorum temeritas, & Sacramenta olim exhibita in medio consilio recitantur*: And *Vladislaus* the brother of *Borevoy* was Elected, *vt Iura*
Cosm. Prag. pag. 60. *Principatus, Iure adoptata*, (that is by lawfull Election) *omnibus ascentientibus obtineret.* This *Vladislaus* was younger brother to *Borevoy* long since deposed, and now hee complaines; and *Otho* the brother of *Suatopulcos* renewes a pretence: First, *Borevoy* treates by his Embassadors, to perswade his yonger Brother to resigne; *Responsum huic a Vladislao huiusmodi retulit, non*
Dubrau. p. 91. *esse rem priuatam quam Borivorius peteret, sed ad vniuersi populi suffragium illam pertinere; proin haud ab vno fratre, sed ab omnibus ordinibus principatum esse ambi-*

endum:

endum: The Bohemians adhere truely to their owne Election, ouerthrew *Otho* in Battaile, and after *Vladislaus* by the Emperours deliuery gets *Boreuoy* into his power, and all his friends: Hee dyes, and *Sobieslaus* his yongest brother is chosen. *Otho niger* againe pretends, *quia ætate prior esset*, but is reiected. *Sobieslaus* had foure sonnes, *Vladislaus* the first, *Sobieslaus* the second, *Vdalricus* the third, *Wenceslaus* the fourth. These should haue succeeded the Father if succession had preuailed, but *Vladislaus* his Nephew, the sonne of his Brother *Vladislaus* (euen by the fauor of *Sobieslaus* his Vncle against his owne Children, and by the Emperors helpe) was designed Prince of *Bohemia*, and by the Emperor crowned the second King: But the Bohemians, because hee was yonger in yeares then *Conrad* his Cozen Germane the sonne of *Leopold*, son of *Otho*. And because his Election was not formall, *ac Cæsaris potius quam Boemorum Principem quando non in Bohemia sed in curia Cæsaris Princeps sit creatus, Threno deijciunt, & in locum eius Conradum substituunt:* But the Emperour *Fredericke* fauouring *Vladislaus*, restor'd him by force, and his sonne *Fredericke* succeeded, but was after also expulsed, and *Vdalricus* the third sonne of *Sobieslaus* the 30th Prince chosen, his elder brethren being neglected; He was Cozen German halfe remooued from *Fredericke*; He dying, his next elder brother *Sobieslaus* succeeded, and now *Fredericke* had againe gotten possession, & was againe expulsed: After which *Conradus* the sonne of *Leopold* forenamed, was a new declared Prince of Bohemia, *suffragijs primorum ordinum: Fredericke* was againe restored, and *Conrad* expulsed, and then *Fredericke* dying, though hee had fewer

Cosm. Prag. pag. 62.

Dubrau. p. 98.

Dubrau. p. 103.

Dubrau. P. 126.

brethren aliue, *Albert*, *Suatopulk*, *Premiſlaus*, and *Vladiſlaus*, which ſhould all haue taken place in true ſucceſſion. *Conradus* was in his abſence declared Prince *ab ordinibus Bohemiæ*; After his death, *Venceſlaus* the ſon of *Otho niger*, younger brother to *Suatopulcus* his Cozen, but preferred before many neerer the Succeſſion, was Elected Prince. Him *Primiſlaus* expulſed, but fearing his returne, hee quitted *Prage*; And *Wenceſlaus* in his returne died, leauing a Sonne called *Spitigneus vacante principali ſede, Henricus* (the ſecond Sonne of *Breciſlaus* the ſixe and twentieth Biſhop of *Prage*) *diem comitiorum habendorum Pragæ indicit, candidatumque in illo principatus pro ſpitigenio pupillo agit: Boemi parumper deliberantes, ipſum Henricum vnanimi aſſenſu, magnaque voce, Principem Boemiæ pronuntiant*: Heere alſo was a ſucceſſion interrupted by the free Election, not onely *Spitigneus* the ſonne of the laſt *Wenceſlaus* reiected becauſe a childe, but *Henry* preferred before all the Sons of *Vladiſlaus* the ſecond King of *Bohemia*: *Henry* not long after falls ſicke, and aſſembles all the Nobility, declaring vnto them his deſire to reſigne the Principality of *Bohemia, Datq; illis poteſtatem eligendi Principis quemcunque voluerint*: but the *Bohemians* hoping on his recouery would not proceed to a new Election, and ſo he remained Prince to his death. Being dead, *de ſucceſſione in comitijs ab ordinibus variatum*; at laſt they Elected *Vladiſlaus*, yonger brother to *Primiſlaus*, once before in poſſeſſion, and fift ſonne of *Vladiſlaus* the ſecond King: two elder Brethren at leaſt aliue: He reſigned in fiue moneths to *Primiſlaus* his brother, who was Elected Prince, being of the ſecond venter, by the *Landgraues* daughter, and his elder brethren and their children,

Dubran. p. 130.

Dubran. P. 132.

Dubr. u p. 134.

Dubran. p. 135.

Dubr. Genealog. Page 139.

for

for any thing appeares, being refuſed: And this *Primiſlaus* was crowned the third King of *Bohemia*, by the Emperour *Philip* at *Mentz*, *de omnium quæ aderant ſententia*, *Anno* 1199.

Thus it is euident from *Bretiſlaus* the 22. to this *Primiſlaus Ottocarus* the thirtieth, in which are ſeuenteene changes, *no kinde of ſucceſſion* hath taken place, but that the yonger brother hath beene preferred before the elder, the vncle before the Nephew, the yonger houſe before the elder, and many Princes depoſed for miſgouernment, or want of forme in true election.

After *Primiſlaus*, foure Kings are pretended to ſucceed to *Wenceſlaus* the ſeauenth King: But *Primiſlaus* cauſeth his ſonne *Wenceſlaus* to be crowned in his life-time, and *Dubravius* notes it, that he was carefull of his owne houſe, *Ex in rebus ſuis domi intentus, Vencelaum filium, etiamſi puerum, regem coronat*, which hee needed not haue done, had he *Ius ſucceſſionis*, and was eaſie for him to doe, being in poſſeſſion. When hee died, his friends concealed it, and his ſonne *Ottocarus* entred with an army, and ſo was admitted. *Propter frequentiam comitatus, qui eum ex Auſtria Styria, Morauia comitabantur; ita pleriſque metuendus quia armatus venerat*; Hee was Marqueſſe of *Morauia*, eſtabliſhed in his Fathers life time, and becauſe hee was not then admitted to the Crowne by Election, it ſeemes he entred armed, which hee needed not doe to his Inheritance: He was ſlaine in the battell of *Luna*, and his ſonne *Wenceſlaus*, a Childe was admitted in his Infancy in honour of the Father, *ex conſenſu omnium Ordinum, cura fouendi illius ad Marchionem Brandeburgum*: The Marqueſſe abuſeth the truſt, and carries him away: At 15. yeares of age,

pag. 139.

Idem 157.

Idem 167.

he is reſtored to the Bohemians for a ſumme of mony, not till now, was he choſen King, which I inferte out of *Dubranius*: *Inter catera ab omnibus acclamantum eſt, Adueniſti tandem deſiderabilis, quem tam diu expectabamus, Ottogari ô inclyta proles,* (which inſinuates the loue of the father) *nihil videlicet tum Otthogari nomine clarius, nihil ad conciliandum omnium ordinem fauorem efficacius:* which implyes the Election by the States, althongh the reaſon be rendred why they choſe him, for loue of the father, yet ſtill their fauour was the formall part of his admiſſion.

Idem 169.

The ſtories mention not the manner of his Admiſsion.

Wenceſlaus the 7. King ſucceeded the Father, & in him ended the ancient Race of their Princes; in all theſe, no ſucceſſion of right eſtabliſhed. He had 3. ſiſters, *Iudith* eldeſt, *Anne* & *Elizabeth*; the firſt married to *Rupertus* of *Naſſau* the Emperors ſon; the ſecond to *Henry* of *Carinthia*, the third yet a maid. The States aſſemble in the Biſhop of *Prages* houſe, *ad ius comitiorũ: ſummaq; contentione de Rege eligendo certant, alijs perigrinũ regem penitus aſpernantibus, alijs inter Rodulphum Cæſaris Alberti filiũ, & Henricum ex Carinthia qui præſens aderat, variantibus:* as yet no mention made of any right in the daughters: *Tobias Bechinus*, who fauoured the ſtrangers, ſons of *Albert* to croſſe the aduerſe party who would not accept them, ſaith, *Quando non alium Regem quam Boemum creare libet, Regiaq́ progenies in Boemia plane deficiat reuertamur ad Pagum ſtadium, vnde Primiſlaus ex ruſtico, priamus in Boemia factus eſt Princeps atque indidem, nos quoque Regem nobis adiſcamus*: Yet that was not his deſire, but onely to diuert the Election, which vtterly ouerthrowes the pretended Contract with the houſe of *Auſtria*; for hee being of that party, ſhould haue pleaded

Dubrau p. 179.

it, if he had knowne it, or had thought it of force, & not haue returned to an *originall Election*, which fully annihilated the Contract, but it seems *Tobias* knew nothing of it: And so hee also reiects the sisters, for that was his end, esteeming them no heyres, though they were *ex progeniê Regia*, & concluded they might lawfully elect a stranger in bloud. This motion was reiected, not that they might elect a stranger, but because the other side vnderstood his craft, that he would obtrude a German, hatefull to the Bohemians: and so he was commanded without further Prefaces, to nominate one in a faire Election: He as Chamberlayne of Boheme, prefers first *Rodolph*, and then his brother *Fredericke*, sonnes of *Albert*, *Quo audito, Crussina Lychtemburgus, Quousq; tandem, inquit, nobis ingeres tuos Germanos Regum nostrorum parricidas, nec plura locutus, stringit gladium, & Thobiam transfodit*: The next day, the two sisters, *Anna* married to *Carinthia*, *Elizabeth* a maid come into the Court, not as heyres, *orant vt sui haberi rationem, ne velut aliena a Regno prætereantur*. And *Henry* the Husband of *Anne* vvas chosen King, but he could not hold it; for the Emperour stood for his Sonne, not by a Contract, but as preuayling in Election, and vpon that onely grounds his Title to place him by force, *Cæsare alacriter, instante, ne filius suus, qui priores partes in suffragijs tulerat, posteriores in Regno acquirendo ferret*. He enters Bohemia vvith an Army, *Henry* of *Carinthia*, and his wife giue way, and so he fortifies the election of *Rodolph*, and Crownes him, a meere stranger in bloud or other title, but the Election pretended. *Rodolph* dies, and *Henrie* of *Carinthia* returnes with his Wife; In which *interim*, the Emperour endeuors the Election of *Fredericke*

Dubrauius reckons *Fredericke* as elected; other doe not.

Fredericke his ſecond ſonne, but is ſlaine before hee could effect it, and then theſe were receiued with great Ioy; After three or foure yeares the *Bohemians* grew weary of *Henries* gouernment, and ſent Ambaſſadors to *Henry* of *Luxenburgh* then Emperor, to ſend his ſonne *Iohn* to marry *Elizabeth* the yonger ſiſter to *Anne*, and *wenceſlaus* the ſeuenth, and that they would elect him King. The Emperor accepts it, and married *Iohn* at *Spire*: The *Bohemians* depoſed *Henry* for ill gouernment,

Geor. Bartbold. pag. 24. as *Bartoldus* notes, *Hunc Boemi ſibi Regem deligunt, ſed quia male adminiſtrauit, miſerunt ad Cæſarem, Henricum ſextum, Legatos ſuos*: So was *Iohn* of *Luxenburgh* Elected, a ſtranger alſo in bloud; for he could pretend no right by his wife in Succeſſion, *Anne* the elder ſiſter liuing. Concerning the contract made betweene *Boheme* and *Auſtria*, the elder ſtories ſpeake nothing of it.

Dubrau. p. 180. *Albert* of *Auſtria* declared not the pretence, but ſtrengthens the Election of his owne ſonnes by making a faction by mariage of *Elizabeth* the widdow of *Venceſlaus*.

Hieron. Canini. pag. 211. And *Hieronimo Canini* in his hiſtory of the Election of the Roman Kings, cites, that ſuch an accord was made, That for want of heyres in eyther Houſe, the other ſhould ſucceed; but withall notes, *Encore que le Royaume ſoyt a l'Election des Barons, & des ſeigneurs du pays*: which beeing cleerely confeſſed, an accord made betweene them for their owne aduantage, to the preiudice of the freedome of *Bohemia* could not be auaileable, nor was euer confirmed by practice in ſucceſſion.

Iohn of *Luxenburgh* is choſen, and is a great Prince, he begins indeed to ſeeke to eſtabliſh the Kingdome in his *Lyne*, and in his life-time practiſeth to exchange it with *Lewis* Duke of *Bauare*, which it is like he affected,

to

to leaue them to the fortune of Election, which is a *tacite* confession of the right in the States to Elect: when it was reuealed to the *Bohemians*, they tooke it in so ill part, that hee should by a secret practice infringe their liberty, or seeme to haue right, to obtrude a King vpon them at his choyce, that they almost reuolted against him, and would not be reconciled, vntill a copy of the treaty was shewed, that he did nothing, but with reseruation of the consent of the States to confirme it. The words of *Dubranius* are considerable. *Sed longè omnium maximũ odiũ sibi ab omnibus ordinibus conflauit, inchoatâ cũ Ludouico permutatione, qua regnũ pro Bauariæ principatu commutare voluit, & Boemi in deteriorem partem interpretati sunt, quasi illos Rex vendere Germanis, & prodere cuperet: Ergo omnes in vnum conspirant, vt pereant potius quam non perdant illos, qui ad exitium Patriæ eorum imminent: Atque hæc turba maior visa, quam vt pacari vel ipso rege præsente potuerit, & nisi pacata esset, spes de retinendo ei regno decollabat:* So that this feare of *Iohn*, confesseth a forfeiture, and a power to depose him, and then hee procures the Emperor to come in person to the Confines of *Bohemia*, where at the towne of *Luticium* the Emperor thus excuses the King. *Illic in maxima Bohemorum frequentia, Regem illorum de tam graui suspitione, qualem de illo haberent, testimonio suo expurgat; pactionemque illis, quam cum Rege inire cæperat, scriptum ostendit, in qua diserte aperteque appositum erat, ita illũ ratam & firmam fore si communi Bohemorum assensu confirmata fuerit.* So iealous were they then of their right, that nothing could appease them, but the sight of his owne agnition of the validity of their consent in transferring the kingdome: *Iohn* caused his sonne *Charles*, to bee admitted

Dubrau. p. 193.

Dubrau. P. 201.

Marquesse of *Morauia* in his life time, an halfe election, as in the Empire the King of Romans, and a step to the kingdome; And indeed he was so fauoured of the Bohemians for his valour, witte, and skill in tongues, that his admittance was easily procured; yea hee was so fauoured of the Bohemians, that his Father suspected and feared him: Soone after hee was chosen King of the Romanes at *Bon*, and now it was not easie for the Bohemians to refuse him if they would, for he preuailed in vniuersall loue: *Charles* in his life laboured all he could to settle the Kingdome in his issue, and to that end in confirming the priuiledges of *Fredericke* the Emperour, inserts a Clause of exposition to his owne aduantage, which cannot extend beyond the Text: But 8. yeeres after, establishing the succession of all the Electors, he expects expressely the Kingdome of Bohemia, and the free Election of the States, not when the heyres royall should faile (as they pretend) but vvhen the Crowne shall be vacant, *quemcunque voluerunt*, as is notorious in *Bulla aurea*; His sonne *Venceslaus* was admitted, but he gouerned ill, and left the kingdome in trouble by the *Hussites* and *Zisca*. After 12 years, *Sigismund* his brother enters by force, the kingdom weakened and torne in peeces by ciuill dissention, & takes the Crown: and hauing only one daughter *Elizabeth* married to *Albert* of *Austria*, *Sigismund* on his death-bedde conuocates the States, takes care for the election, & presents *Albert* his sonne in Law: *Albertum Austriæ Ducem generum suum esse & virtute præstantem, & generis nobilitate sublimem, cum se non minus amare quam filium, successorem itaque suum nominare, rogare supremam voluntatem suam exequantur: beatum id regnum fore, vbi Alber-*

Idem 202.

Onuphirus Aure. Bulla. p. 431.

Dubrau. p. 243.

Geor. Barthold. pag. 29.

AEn. Syl. p. 54

Albertus imperauerit; Here are reaſons of conuenience, of Nobility, of Vertue, and hee nominates a Succeſſor to their choyce, which he could not doe, nor they refuſe, if *Elizabeth* his daughter ſhould ſucceed in right; and ſo *Albert* is choſen, a ſtranger in bloud. *Albert* hath 3. children, *Ladiſlaus Paſtumus* was admitted King, but he was a Childe, and therefore the States offered the Kingdome to *Albert* of Bauaria, hee refuſeth it vpon Conditions of Religion, *That hee would not be bound to admitte the Chalice in the Sacrament, which was required*, not conſidering at all the right of *Ladiſlaus*: Then they offer it to *Fredericke* the Emperour as Tutor; but among the Ambaſſadors, *Ptaſco*, no friend to *Albertus* father of *Ladiſlaus*, perſwades the Emperor to make himſelfe King of *Bohemia*, as the firſt of the houſe of *Auſtria*: but he refuſeth both the ones Counſell, and the generall offer of *Tutorſhip*, and recommits it wholly to the *Bohemians*, as hauing beſt vnderſtanding and intereſt in their owne affaires. In this *Interraigne*, *Podiebradius* conſults of calling home *Ladiſlaus*, now in the hands of *Fredericke*, for it ſeemes eyther he bredd him, or was retired to him: and after deliberation, concludes to receiue him vpon conditions; and at his entrance they giue him the oath, *Quo præſtito capita deinde libertatum ab omnibus ordinibus miſſa exhibet*, &c. Hee dyes vvithout Iſſue, and leaues two ſiſters, *Anne* the Eldeſt, married to *William* Duke of *Saxe*, *Elizabeth* to *Caſimer* King of *Poland*. *Ladiſlaus* finding himſelfe ſtroken with Death, calls *Podiebradius*, and foreſeeing in the affections of the Bohemians who ſhould be Elected, neuer thinkes of his ſiſters as in any right, nor once mentions them, but *mihi moriendum eſt*,

Dubrau. p. 266.

Ibid.

Dubrau. p. 271.

Ibid. 272.

Georg Bartold. pag. 30.

Regnum in tua manuerit, Duo a te peto, vti prouinciales iuſte regas &c. alterum, vt qui me ſecuti ſunt ex Auſtria, cæteriſque prouincijs in Patriam ſuam inuiolatos remittas. *Podiebradius* modeſtly ſeemes to decline it, excuſeth and hopes the King ſhal recouer, neuer, for a Complement, once mentions any heyre, ſiſter, or kinred of the King, which he could not in manners doe, nor with ſafety omit, if they had had right, and the King who ſhould maintaine their Intereſt yet aliue: But *Ladiſlaus* ſets his eyes onely vpon *Podiebrad, Promitte quod cupio, nam me mori certum eſt*: *Ladiſlaus* eyes, and *Podibradius* beeing Gouernour, calls the Aſſembly for Election: The French King ſtands a meere ſtranger in bloud, and his Ambaſſadors come to *Prage*; but becauſe they vvere vnwilling to admit a ſtranger, they reſolued to finiſh the Election, before the French had audience. The manner of the Election is recorded by *Dubranius*, eſpecially; *Locus eligendo Regi in domo Prætoria veteris vrbis conſtitutus*, where, after firſt ſolemnely going to the Church, *Rokickzanus* makes an Oration to perſwade them not to looke vpon any Stranger nor Germane: Among themſelues, he firſt propounds the Gouernor *Podiebradius*, whoſe Armes had defended their Liberties; or if they diſliked him, and thought no *Bohemian* eminent enough, nor worthy of ſo high aduancement, he counſells a new way of gouernment, vtterly to relinquiſh a Monarchy: *Aut hunc Regem eſſe nominandum aut ſi nemo inter Boemos tanto faſtigio dignus cenſeatur, Hæbreo more duodecim Iudicis aſſumendos, qui Populum Boemum æquo Iure gubernarent. Hinc in Prætorium itum, & tam foris, quam intus prius acclamantum quam decretũ,* VIVAT REX GEORGIVS: Here is a ſolemn Election,

Dubrau p. 281.

on, and therein a propoſition to change the gouernemen into *Ariſtocracy*, and laſtly a ſtranger in bloud to the Crowne of Bohemia Elected, the daughters and ſiſters of the two laſt Kings not once in queſtion: And *George* held the Crowne of Bohemia to his death, and this Election and Coronation of *George* was confirmed by *Calixtus* the Pope, which no Auſtrian dare ſay hee would haue done in iniury of the true heyre or their Houſe. *George Podiebrad* had three ſonnes, two liued at his death, yet in his laſt meditations hee durſt not once caſt his eyes vpon any of them; His words are, *Nollem autem, quantum in me ſitum eſt, libenter committere* (which implies he had no intereſt in deſigning an heyre, but by way of Counſayle) *vt poſt obitum meum, ipſum Regnum in aliquod diſcrimen adduceretur propter dubium regni ſucceſſorem, proin ſcire aueo, quidnã in hac cauſa agere, quemue Regem vobis legare deſtinaueritis; Reſpondentibus nullam ipſo Rege ſuperſtite ſucceſſoris faciendam eſſe mentionem* (perhaps to preuent the preiudice, iealous to preſerue their right entire) *inſtabat auidus, donec ab illis exterqueret, non admodum ſibi gratam ſententiam, qua ſe dicerent ſentire, apud Polonos Regem eſſe quærendum, cum quibus & linguæ & moribus non multùm diſſentirent.* They expreſſe their reaſons for likeneſſe of manners, and language, without any mentioning a right by the ſecond daughter of *Albert*, which they could not doe without iniury to *Anne* the Elder ſiſter married to *Saxe*.

Idem 281.

Idem 289.

Podebradius with this anſwer was diſmaid, for though he durſt not expreſſe it, hee had ſtrong hopes and deſignes for his owne ſonnes; but knowing the right of free Election, and hauing diſcouered their affections;

in the little pauſe hee had of life, neuer ſought to alter the Inclination of the Bohemians, but prouided onely to leaue his ſonnes rich, and poſſeſſing them with the mooueables of the Kingdome, commanded them to retire to the Caſtle of *Podiebrad*. A ſolemne Parliament is held for the Election, *Matthias* King of Hungarie ſtands, and is ready to threaten vvith an Army, and hath a party in Bohemia, therefore they remooue the Seſſion, *ad montes Cuthenſes, data omnibus fide publica, vt quiſque ad illa libere veniret & rediret, ſummaque cum libertate ſuffragia perageret.* Dubrau.P.290. Three great men in Bohemia declare for *Matthias*, *contentiſsimâ ſuffragatione, ſed maior numerus Vladiſlaum Caſimiri Poloniæ Regis filium, etiamnum adoleſcentem nullarumque partium factionibus per ætatem infectum, Regem poſſebant, numeroque præualuerunt*: *Matthias* ſtirres, enters with an Army, and moleſteth *Fredericke* the Emperour in Auſtria and Styria, and partly thereby, partly by promiſe of money, procures an Inveſtiture, although hee had formerly granted it to *Vladiſlaus* the ſonne of *Caſimere* of Poland, yet the Bohemians maintaine their Election, and repulſe *Matthias*, heere is no reaſon of bloud, but fitneſſe, in reſpect of partialitie, mentioned in the Election: And if reaſon of bloud could then haue been vrged, *Anne*, or *VVilliam* of Saxe, or their Iſſue muſt haue preceded, and by Conſequence, now the Elector of *Brandeburgh*.

Lodouicus his ſonne ſucceeded, but was admitted and Crowned at three yeares of age, by his Fathers meanes, and then liuing, *Nulla mora interpoſita ad Reg-*
Dubrau.p.302. *num Bohemiæ Lodouicum inaugurandum curauit. Lodouicus*

eus is drowned in the Danuby in the Rowt giuen by the Turkes, and leaues his onely ſiſter *Anne* married to *Ferdinand*, ſonne of *Maximilian* the Emperor, who, as *Dubranius* ſayes, could not bee preuented by ſlight, nor wit, nor Armes, *Dextra prorſus manus & tenaci excepit gubernacula regni.* *Ibid.*

In all theſe times there is no Succeſſion eſtabliſhed, but free Election, or another reaſon of Succeſſion then right: Princes choſen of the younger line, reiecting the Elder, and the right line, and ſome few ſeizures by force, Princes depoſed for miſgouernment, and for vvant of due forme in the Election: Strangers in bloud Elected, and all pretended ſucceſſion, aduanced by the Father liuing, or for his ſake dead; and this concludes no ſucceſſion, becauſe preſent greatneſſe hath gotten an aduantage, *Primus dominandi ſpes in arduo, vbi ſis ingreſſus, addeſſe ſtudia, & mixtos.* *Tac. Annal. l. 4.*

Ferdinand hath gotten poſſeſſion, but accepts it by right of Election, as is confeſſed, *Nulla facta mentione Iuris quod Annæ competebat*, and giues Defeaſall Letters, *Quod ex nulla Obligatione ſed ex libera & bona voluntate eum Boemi eligerint*, againſt vvhich the *Auſtrians* now vrge a reſumption of thoſe letters, and new a new declaration of the right of *Anne*: for the truth of which, there is no record in it own proper time and place, & that which is, is crept into the Margen, from which moſt corruptions into *Claſſique* Authors haue beene deriued. But admitte it vvere true, there is no ſtronger Argument againſt the Succeſſion; For thereby *Ferdinand* doth confeſſe a practice and ſtretch of his authority for his aduantage *Informator. pag. 7.*

againſt

againſt a former confeſſed right. The acceptance of the Election without the right of *Anne*, was ſafer for him then to come in by her right, becauſe ſo hee was eſtabliſhed in his owne title, which might haue failed by the death of his wife, ſingly depending on her, and Kingdomes ſucceſſiue are not held in curteſie; But after ninteene yeares, hauing a ſetled poſterity by *Anne*, it was then for his aduantage in preiudice of the liberty of the States, to diſclayme the Election, and to claime by his wife for his childrens intereſt, who ſhould not then hazard a new Election, but ſucceed. And this reaſon cauſed the former Kings of *Boheme* to procure their ſonnes crowned when they could, and ſome as appears, could not. This practice diſcredits the whole claime, and is founded vpon *Ferdinand* intereſſed againſt *Ferdinand* freely elected.

As farre as mine Authors haue led me, in mine owne purpoſe, which was to ſhew a continuall claime and practiſe in the States of Bohemia to Elect their Princes and Kings, I haue (perhaps with too much breuity) deliuered the ſame truth I found recorded, and I doubt not it will bee cleare enough to all well affected men, that my propoſitions are made euident in ſundry example, and ſo my Concluſion will ſtand, *Bohemia Regnum Electiuum*; but becauſe I profeſſed at firſt, that the *Informator* had miſ-vſed his ſtuffe to ſerue his owne ends, and to beguile the ſimplicity of our mindes, I ſtand bound not ſo to accuſe him, without ſhewing in ſome particulars, which way hee hath made that which was ſtraight crooked. The truth I haue deliuered, as a Rule, will doe it; but vntill I haue alſo demonſtrated his crookedneſſe, mine owne may lye vnder the

ſame

ſame ſuſpition; where therefore his Vſes ſeem to croſſe my Narration, I will endeuour to ſhew the fallacy or peruerceneſſe; Deſiring you to obſerue that the *Informator* ſeemes to inſinuate, that this claime of *Free Election* is fortified by Teſtimonies onely of ſixe Ages, which indeed were weake, although true, in reſpect of ſo many changes; but we ſay, that from the firſt peopling to this age, wee haue Right and Practice on our part without Interruption. Firſt hee denies euen that continuance of ſixe ages, by example of *Iohn* of *Luxenburgh*, who as he pretends, had right to the Kingdome by marriage of his wife *Elizabeth*, heyre of the Crown. I will not confute him with any other reaſon then his owne. His next words are; *Indeed Henry of Carinthia married the elder ſiſter Anne*, by which he tooke the Inheritance of the Kingdom: How then could *Iohn* haue Right by the *younger ſiſter*? but hee tells vs *Henry* was depoſed by the Emperour, (we ſay by the people, and that they called in *Iohn*) but he tells not, who gaue the Emperour power to depoſe a King in Boheme: ye; he ſhowes the fault, becauſe he rebelled againſt the Emperour: And this *Rebellion* was, becauſe *Henrie* entred the Kingdome in his Wifes right, without demanding an Inveſtiture; If it were the right of *Iohn*, hu hand to the yonger ſiſter (as the *Informator* will haue it) how is it Rebellion in the Elder to clayme or defend that right? or what fault is it in them to take their own? if any had a right of ſucceſſion, and ſhould refuſe, for other quarrels to demand the Inveſtiture, or the Emperor to grant it, can this vitiate the right, and make them no heyres? A right ſo limited is a miſerable Wardſhip; & although the Emperours reſerued that honour of *Inueſtiture*, becauſe

Informator. pag. 1.

Inform. pag. 2.

cause they gaue the title of King, yet they gaue not the right of being Prince, or being heyre: so that *Henry* could not for this cause be so a Rebell, as to bee expelled from all Soueraignty; and if not, then *Iohn* could as yet haue no right by *Elizabeth*: But admit it bee so, that *Henry* rebelled, could hee forfeit the right of his Wife? Or can successiue kingdomes bee forfeited for want of Ceremony? Nothing is more absurd. But what consideration of their rights had the Emperour *Albert* of *Austria*, that thrust both out, to place his sons *Rodolph* and *Fredericke*.

To vnfold all these Contradictions, we must returne to the truth of Story; neither of ~~his~~ these sisters had, nor claimed right: But the Bohemians (alwaies respectiue to the descendents of their Kings) first Elected the husband of *Anne* the eldest, and after reiecting him for misgouernment, called in *Iohn* of *Luxenburgh*; And though they gaue him *Elizabeth* to bee his Wife, they plainly chose him for their King.

Ibid. Next he tells vs, *Wenceslaus* the sonne of *Charles*, at three yeares of age was Crowned King by his Fathers Command, *absque vlla requisitione statuum*: That negatiue is not proued, and I aske no more Inference against it, and that which it concludes, *quod Iure successionis*, then his owne words, *his Father commanded it*, which if you make gentler, and say (as the truth is) he desired it wee are agreed; for to command it, if he had right, was vnnecessary, to entreat and procure it, not so, hauing no right.

Idem pag. 3. I omit his boldnesse contrary to good authority, to auerre that *Albert* of *Austria* claymed the kingdome in right of *Elizabeth*, when it is euident, that *Sigismund* at his

his death presented him to the States, by vehement words of recommendation; and the imputation cast vpon the Ashes of *Podiebrad* (whom indeed hee hates, for against his Election stands no exception) and descend to the onely clayme, that the daughters were true heyres; to proue which he auerrs, that *Cassimir* of Poland pretended right to the Kingdome at the Election of *Podiebrad*, which is vtterly false; and that *Podiebrad* preuailed by a faction of a few, against the more powerfull of the States, which is in it selfe absurd, & brands *Pope Calixtus* his approbation; for neuer was any King chosen with more vniuersal applause. But admit all that true, the Conclusion to be proued is, *That the Kingdome did descend in right to a Daughter*; and so after *Podiebrad*, the sonne of *Cassimir* was admitted: to vse his owne words, The kingdome did returne to the ordinary succession, *de Iure*, was it ordinary that the younger did succeed? Was not *Anne* married to the Duke of *Saxe*, the Elder, and heyre, if there were a right of Succession? Was *Anne* deposed by any Emperour, or any Decree against her? if not, what clayme had the sonne of *Elizabeth* against his Aunt and her issue? And how, by the right and vigour of their priuiledges did the kingdome appertaine to the younger in bloud? But we see these daughters Titles *pieced vp* to confirme the claime of *Ferdinand* by *Anne* the sister of *Ladislaus*, which hee at his owne Election durst not trust vnto.

Lastly, he preferres to vs the Letters or Bulls of *Fredericke*, *Charles*, *Ferdinand*, and *Vladislaus*, to entaile the Kingdome to the Princes of the blond, but none of these to the next in bloud, which formes a succession, but at large, that any of the bloud may be chosen, and

to that of greateſt force, which ſeemes excluſiue (when none of the bloud ſhall remaine) the words following are, *or by any other meanes when the Crowne ſhall bee voyd*, which muſt needs be by death of any in poſſeſſion: But we ſay that in the golden Bull of *Charles*, he not onely excepts his Kingdom of Bohemia, and the right of the States to chooſe their King *whomſoeuer they will*, in any vacancy, but alſo confirmes that right ſo, that no *Conſtitution*, *Regall* nor *Imperiall*, ſhall bee of force againſt it; and this, in words direct and vehement. So that whatſoeuer could follow for the aduantage of any particular Houſe, could not preiudice an Ancient and Fundamentall Right of a whole Kingdome, and the practice hereof is the ſafeſt and beſt Interpretor. I haue preſented the *Truth* naked and ſimply; If it do any man ſeruice, I am glad; if not, I am glad that I haue learned it for my ſelfe.

Onaph. Aurea Bulla 431.

Aurea Bulla pag. 481.

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FINIS.